

EDWARDS ANGELL PALMER & DODGE LLP
David R. Marshall
Rachel B. Jacobson
Attorneys for Defendants
750 Lexington Avenue
New York, New York 10022
212.308.4411
dmarshall@eapdlaw.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KEITH TURNER,	:	
	:	
Plaintiff,	:	06 Civ. 1910 (GBD)
	:	
-against-	:	DECLARATION OF
	:	<u>DAVID R. MARSHALL</u>
NYU HOSPITALS CENTER, NYU MEDICAL	:	
CENTER, NYU SCHOOL OF MEDICINE, and	:	
NYU HEALTH SYSTEM,	:	
	:	
Defendants.	:	
-----	X	

DAVID R. MARSHALL declares:

I am a member of the bar of the State of New York and this Court and the law firm of Edwards Angell Palmer & Dodge LLP, counsel for defendants. I make this declaration in support of Defendants' motion for summary judgment.

1. Exhibit 1 hereto is a copy of relevant excerpts from the transcript of the deposition of Plaintiff Keith Turner, conducted by Peter Shapiro on November 15, 2006.

2. Exhibit 2 hereto is a copy of relevant excerpts from the transcript of the deposition of Joseph Morelos, conducted on November 16, 2006.

3. Exhibit 3 hereto is a copy of relevant excerpts from the transcript of the deposition of Corie Fromkin, conducted on November 27, 2006.

4. Exhibit 4 hereto is a copy of relevant excerpts from the transcript of the deposition of Robert Stephen, conducted on November 27, 2006.

5. Exhibit 5 hereto is a copy of relevant excerpts from the transcript of the deposition of Hilda Pineda, conducted on November 28, 2006.

6. Exhibit 6 hereto is a copy of relevant excerpts from the transcript of the deposition of Udel DeGazon, conducted on November 29, 2006.

7. Exhibit 7 hereto is a copy of relevant excerpts from the transcript of the deposition of Mark Parauda, conducted on November 30, 2006.

8. Exhibit 8 hereto is a copy of relevant excerpts from the transcript of the deposition of Reginald Odom, conducted on January 18, 2007.

9. Exhibit 9 hereto is a copy of the Complaint in this action, dated March 10, 2006.

10. Exhibit 10 hereto is a copy of the resume of Corie Fromkin.

11. Exhibit 11 hereto is copy of Robert Stephen's Employee Performance Review and Planning Form, dated March 8, 2001.

12. Exhibit 12 hereto is a copy of the resume of Robert B. Stephen.

13. Exhibit 13 hereto is a copy of the resume of Keith Turner.

14. Exhibit 14 hereto is a copy of the Employee Requisition and Faculty Recommendation Form dated August, 1, 2002, and NYU Hospitals Center Position Control Board Position Justification Form dated July 12, 2002, for the Building Services Department Manager position.

15. Exhibit 15 hereto are copies of memos and emails sent to Keith Turner relating to his performance, from October 2, 2002 - April 26, 2004.

16. Exhibit 16 hereto is a copy of Keith Turner's Employee Performance Review and Planning Form, dated September 28, 2003.

17. Exhibit 17 hereto is a copy of a memo from Bozena Sutowski to Joseph Morelos and Mark Parauda concerning Hilda Pineda, dated February 12, 2004.

18. Exhibit 18 hereto is a copy of an email from Corie Fromkin to Reginald Odom, dated April 11, 2004.

19. Exhibit 19 hereto is a copy of emails regarding the termination of Bozena Sutowski and the layoff of Keith Turner, dated June 14, 2004.

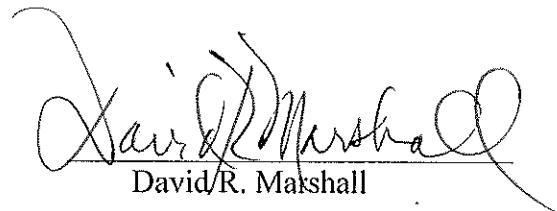
20. Exhibit 20 hereto is a copy of correspondence from Mark Parauda to Keith Turner concerning Turner's layoff and accompanying layoff package, dated June 14, 2004.

21. Exhibit 21 hereto is a copy of the Confidential Personnel Profile for Keith Turner, received in payroll August 30, 2004.

22. Exhibit 22 hereto is a copy of a handout prepared by Udel DeGazon concerning a Supervisors Meeting held on June 8, 2004.

23. Exhibit 23 hereto is a copy of an email by Udel DeGazon to the Building Services Department supervisory staff concerning the promotion of Robert Stephen, dated July 18, 2004.

Dated: New York, New York
August 12, 2010



David R. Marshall